

Douglas J. Pick  
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Proposed Substitute Counsel to  
Debtor Second Phoenix Holding LLC  
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New York, New York 10017  
(212) 695-6000

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re  
SECOND PHOENIX HOLDING LLC,

Chapter 11  
Case No. 18-10009 (MG)

Debtor.

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**NOTICE OF APPEAL**

Second Phoenix Holding LLC, by and through its undersigned proposed substitute counsel and pursuant to 11 U.S.C. §158(a), hereby appeals to the United States District Court for the Southern District of New York from that certain: (a) *Order Denying Disclosure Statement and Plan Confirmation and Directing Appointment of Chapter 11 Trustee*; (b) *Order Approving Sale of 14 2<sup>nd</sup> Avenue, New York, New York 10003 ("2<sup>nd</sup> Avenue"), Free and Clear of All Liens, Claims, Encumbrances and Security Interests Pursuant to, Inter Alia, Bankruptcy Code Section 105 and 363*; and (c) *Order Approving Sale of 212, 214 and 216 East 125<sup>th</sup> Street, New York, New York 10035 ("East 125<sup>th</sup> Street"), Free and Clear of All Liens, Claims, Encumbrances and Security Interests Pursuant to, Inter Alia, Bankruptcy Code Section 105 and 363*, each dated and entered in the above-captioned case on September 25, 2018 (ECF Nos. 139, 140 and 141, respectively), copies of which are attached hereto as *Exhibits "A", "B" and "C"*, respectively (collectively, the "Orders").

The names of all parties to the Orders appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

<u>Party</u>	<u>Counsel</u>
Second Phoenix Holding LLC	<b>PICK &amp; ZABICKI LLP</b> 369 Lexington Avenue, 12 <sup>th</sup> Floor New York, New York 10017 (212) 695-6000 Douglas J. Pick Eric C. Zabicki
William K. Harrington United States Trustee, Region 2	<b>OFFICE OF THE UNITED STATES TRUSTEE</b> U.S. Federal Office Building 201 Varick Street, Room 1006 New York, New York 10014 (212) 510-0500 Brian S. Masumoto, Esq.
United States Dept. of Treasury Internal Revenue Service	<b>GEOFFREY S. BERMAN UNITED STATES ATTORNEY</b> 86 Chambers Street, Third Floor New York, New York 10007 (212) 637-2777 Emily Bretz, Esq.
Deborah J. Piazza, Chapter 11 Trustee	<b>TARTER KRINSKY &amp; DROGIN LLP</b> 1350 Broadway, 11 <sup>th</sup> Floor New York, New York 10018 (212) 216-8000 Scott S. Markowitz, Esq.
Evan Blum	<b>SHAFFERMAN &amp; FELDMAN LLP</b> 137 Fifth Avenue, 9 <sup>th</sup> Floor New York, New York 10010 (212) 509-1802 Joel Shafferman, Esq.
212 East 125 <sup>th</sup> Street LLC	<b>SILVERMAN ACAMPORA LLP</b> 100 Jericho Quadrangle, Suite 300 Jericho, New York 11753 (516) 479-6300 Brian Powers, Esq.

<u>Party</u>	<u>Counsel</u>
Station Company DB LLC	<b>SYLVOR, RICHMAN &amp; SORIN, LLP</b> 99 Madison Avenue, Suite 510 New York, New York 10016 (212) 972-1106 Boris Sorin, Esq.

In the event that the appeal from the Orders is deemed an interlocutory appeal, Second Phoenix Holding LLC requests that this notice be deemed a motion for leave to file an interlocutory appeal pursuant to Fed. R. Bankr. P. 8004(d).

Dated: New York, New York  
September 25, 2018

**PICK & ZABICKI LLP**  
Proposed Substitute Counsel to  
Debtor Second Phoenix Holding LLC

By:

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